

Ser. No. 10/828,404

Remarks

Claims 1-18 were pending. Claims 1-18 were subject to restriction. By the foregoing amendment, no claims are canceled, no claims are amended, and claims 19-20 are added. No new matter is presented.

Election/Restriction

Restriction/election was required as follows:

Species A: claims 1-12;

Species B: claims 13-15; and

Species C: claims 16-18; and

Subspecies I: compressing with the rotor; and

Subspecies II: compressing with a flat plate.

Applicant elects Species A (claims 1-12, 19 and 20) and Subspecies II (claims 1-6, 8-12, 19, and 20) with traverse. Traverse is on the grounds that examination of all the claims would not present an undue burden.

The association of separate "species" rather than separate "inventions" with each of the independent claims is irregular. No support has been cited for why this is an appropriate requirement. For example, no separate search classification has been identified. The search classes of the three species and two subspecies are expected to largely, if not completely, overlap.

The identification of a subspecies associated with particular embodiments/implementations is more procedurally regular but is still subject to the foregoing traversal for the foregoing reasons. Claims 1-6, 8-13, and 16-18 are believed generic to the two identified subspecies. Claims 15, 19, and 20 are further specific to the elected subspecies.

Accordingly, if the requirement is withdrawn, claims 1-20 will be examined. If not withdrawn, claims 1-12, 18, and 20 will be examined.

New claims 19 and 20 are further claims exclusive of the non-elected subspecies as noted above.

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Accordingly, Applicant submits that claims 1-20 are in condition for allowance. Please charge any fees or deficiency or credit any overpayment to our Deposit Account of record.

Respectfully submitted,

By 

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I hereby certify that this correspondence is being facsimile transmitted this 18th day of December, 2006 to the USPTO, at Fax No. 571-273-8300.


Antoinette Sullo